PATENT

TEIVED RECEIVED

JAN 1 5 2003 MAY 2 4 2002

Leading Center 21 Rechnology Center 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ICANTS:

James M. Gill et al.

CATION NO.:

09/939,206

NG DATE:

EXAMINER:

August 24, 2001

TITLE:

FREIGHT RATE MANAGER

UNASSIGNED

GROUP ART UNIT:

2162

ATTY, DKT, NO.:

22725-05869

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner For Patents, Washington, DC 20231, on the date shown

Dated: May

Brian M. Hoffman, Reg. No. 39,713

BOX NON-FEE AMENDMENT COMMISSIONER FOR PATENTS WASHINGTON, DC 20231

> INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

		K-gite						
before the	e mail	ing of a first official action after the filing of a request for						
continued	d exan	nination (RCE) under 37 CFR § 1.114;						
after three	e mon	ths of the filing date of this national application or the date						
of entry o	of the	national stage in an international application, or after the						
mailing d	late of	the first official action on the merits, whichever event last						
occurred, but before the mailing date of the first to occur of either: (1) a								
final action under 37 CFR §1.113; or (2) an action that otherwise closes								
		the application, and:						
attached hereto is the fee set forth under 37 CFR §1.17								
		ssion of this Information Disclosure Statement under 37						
(CFR.§	1.97(c); OR						
	Applicant certifies pursuant to 37 CFR § 1.97(e) that:							
	7	each item of information contained in this Information						
	_	Disclosure Statement was first cited in a communication						
		from a foreign patent office in a counterpart foreign						
		application not more than three months prior to the filing of						
		this Statement; OR						
		no item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
	•	foreign patent office in a counterpart foreign application						
		and, to the knowledge of the person signing this						
		certification after making reasonable inquiry, no item of						
		information contained in this Statement was known to any						
		individual designated under 37 CFR § 1.56(c) more than						
		three months prior to the filing of this Statement;						
before th	ne pay	ment of the issue fee but after the mailing date of the first to						
occur of	either	: (1) a final action under 37 CFR § 1.113; or (2) an action						
that otherwise closes prosecution in the application, and:								
	Applic	ant certifies pursuant to 37 CFR. § 1.97(e) that:						
		each item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						
		foreign patent office in a counterpart foreign application not						
		more than three months prior to the filing of this Statement;						
		or						
		no item of information contained in this Information						
		Disclosure Statement was cited in a communication from a						

PATENT

										_				
					foreign	_			_				ation	
					and, to		_		-	_	•		_	
					certific			_						
					informa									У
					individ	ual des	signated	d unde	r 37 Cl	FR § 1	.56(0	c) more	e than	
					three m	onths	prior to	the fi	ling of	this S	taten	nent; A	ND	
				attached	d hereto	is the	fee set	forth	under 3	37 CFI	R §1.	.17(p)	for	
				submiss	sion of	this Int	formati	on Dis	sclosur	e State	emen	t under	r 37	
				CFR.§	1.97(c);	OR								
			after the payment of the issue fee. Applicant request that the information											
			contained in this Information Disclosure Statement be placed in the file											
			accord	ing to 37	7 CFR §	1.97(i), altho	ough th	ne info	rmatio	n ma	y not b	oe .	
			consid	ered by t	the USF	PTO.								
	\boxtimes	This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior												
		application No. 09/573,583, filed on May 18, 2000, and the references cited												
,		therein are hereby referenced, but are not required to be provided in this												
		application under 37 CFR § 1.98(d).												
,		Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application,												
		and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure									37 CF	R		
		Statement. 37 CFR § 1.704(d).												
	\boxtimes	Applicant submits that no fee is required for the consideration of this Information												
		Disclosure Statement.												
	Consid	leration	of the l	isted refe	erences	and fa	vorable	e action	n are so	olicite	d.			
						Respectfully submitted,								
						JAME	S M. G	GILL et	t al.					
										7 -				
D-4-4.	Mari	7)	2002		n		<u>)</u>						
Dated:	May			, 2002	_	By: Brian I	M. Hof	fman	Reak	io 39	743			—
							ey for A			,	, , , ,	-		
						Fenwi	ck & W	est LI	_P					
							alo Alt	•						
							lto, CA 415) 8'							
							415) 8. 415) 28							•
							,							

O1P E MAY 2 1 2002 2

(Use several sheets if necessary)

Sheet _1_ of _1

FORM PTO-1449 (REV. 6-89)

U.S. DEPAREMENT OF COMMERCE

-89) Patent and Trademark Office
INFORMATION DISCLOSURE CITATION

Attorney's Docket No. 22725-05869

Application No. 09/939,206

Applicant

James M. Gill et al.

Filing Date

August 24, 2001

Group Art Unit 2162

<u></u>		·		August 24, 20	01	- 2	2162	
	. 1		U.S. PA	ATENT DOCUMENTS	T	1	Filina	. Data
xaminer Initial		Document Number	Date	Name	Class	Subclass	If Appr	Date opriate
	A1	5,897,621	04/27/99	Boesch et al.	705	26		
	A2	5,878,139	03/02/99	Rosen	380	24		
	А3	5,787,402	07/28/98	Potter et al.	705	37		
	A4	5,774,553	06/30/98	Rosen	380	49		
	A5	5,758,328	05/26/98	Giovannoli	705	26		
	A6	5,745,886	04/28/98	Rosen	705	39		-
	A7	5,557,518	09/17/96	Rosen	364	408		
				RECEIVED!		RI	CEI	VED
				RECEIVED!		M	Y 2 4	2002
				JAN 1 5 2003				
				Technology Center 2100		160mm	ology Center 21	
			FOREIGN	PATENT DOCUMENTS		.	1	
		Document	Date	Country	Class	Subclass	Translation	
		Number		 			Yes	No
]			
	7 11 11					ļ		
		OTHER DOC	JMENTS (Including Author, Title, Date, Pertinent	Pages, Et	c.)		
							_	
					-			
				10.	LIV	ED		
					1 6 ZO	กร		
				GRO	In-			
					-1	_		

Include copy of this form with next communication to applicant.

PTO/SB/21 (modified) Approved for use through xx/xx/xx, OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE MAY 2 1 2002 001/PTO U.S. Department of Commerce Application Number 09/939.206 **R**ev. 10/95 Patent and Trademark Office THADEMA' August 24, 2001 Filing Date TRANSMITTAL FORM First Named Inventor James M. Gill et al. RECEIVED (to be used for all correspondence during pendency of Group Art Unit Number 2162 filed application) MAY 2 4 2002 Examiner Name UNASSIGNED Technology Center 2100 Total Number of Pages in This Submission Attorney Docket Number 22725-05869 **ENCLOSURES** (check all that apply) RECEIVED Fee Transmittal Form (in duplicate) Issue Fee Transmittal Check Enclosed Letter to Chief Draftsperson JAN 1 | 5 2003 Return Receipt Postcard Formal Drawing(s): Response to Notice to File Missing Parts [] Sheet(s) of Figure(s) [] Appeal Communication to Board of Appeals and logy Center 2100 Assignment & Recordation Cover Sheet Declaration Appeal Communication to Group Power of Attorney (Appeal Notice, Brief, Reply Brief) Application Data Sheet Information Disclosure Statement & PTO-1449 Certified Copy of Priority Document(s) Copies of IDS Cited References After Allowance Communication to Group Request for Corrected Filing Receipt Request for Correction of Recorded Assignment Amendment/Response: [] Page(s) After Final Status Request Revocation and Substitute Power of Attorney REMARKS: SIGNATURE OF ATTORNEY OR AGENT Signature: Brian M. Hoffman, Reg. No. 39,713 Dated: 2002 Attorney/Reg. No.: May CERTIFICATE OF MAILING I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service

, 2002

Dated:

May

Signature:

Typed or Printed Name:

Express Mail Mailing Number (optional):

"Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Brian M. Hoffman